

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS SECTION 01 OF 03 SANTO DOMINGO 000790

SIPDIS

DEPARTMENT FOR WHA/CAR (MCISAAC)

E.O. 12958: N/A

TAGS: [DR](#) [ELAB](#) [KDEM](#) [KPAO](#) [KSEP](#) [PGOV](#) [PHUM](#) [PREL](#)

SUBJECT: DOMINICAN REPUBLIC: SUPPORTING HUMAN RIGHTS AND DEMOCRACY

REF: SECSTATE 333935

[1](#)1. The following is the Embassy response to reftel.

Human Rights Record in the DR and the US Strategy

[1](#)2. President Hipolito Mejia of the Dominican Revolutionary Party (PRD) took office in August 2000 after a generally free and fair election. Although there were some improvements in a few areas, the Government's human rights record was poor and serious problems remained. Weak Dominican public institutions at times failed to protect fundamental human rights and enforce the rule of law, undermining democratic consolidation in the Dominican Republic. Expeditious trials were problematic due to cumbersome judicial procedures and understaffed, under-funded and under-motivated justice system institutions including the judiciary, Public Ministry, investigative police and public defenders. Police continued to use excessive force, and unlawful killings increased. Domestic violence was a growing problem. Worsening economic conditions, in part due to the collapse of one of the country's largest commercial banks, contributed to societal anxiety and speculation that the 2004 presidential elections might be conducted in a biased or fraudulent manner. To address these concerns, the 2003-2004 U.S. human rights and democracy strategy for the Dominican Republic encouraged free and fair presidential elections, promoted respect for human rights, fostered more internally democratic political parties, promoted police reform, addressed child labor problems, built respect for internationally recognized labor standards, combated trafficking in persons, developed a career civil service, and supported judicial reforms and the rule of law.

[1](#)3. U.S. officials routinely highlighted human rights concerns in public speeches. On various occasions throughout the year, Ambassador Hertell stressed the importance of human rights in public and private fora. Assistant Secretary of State for Western Hemisphere Affairs Ambassador Roger Noriega, in an address to the Dominican Congress in December 2003, outlined U.S. policy concerns including human rights, the rule of law, trafficking in persons, building democratic institutions and the need for transparent elections. The U.S. Trade Representative and the Assistant Attorney General for Civil Rights also raised these priorities in meetings with Dominican Government officials during their visits to the Dominican Republic.

U.S. Efforts to Strengthen Police and Military
Respect for Human Rights

[1](#)4. The U.S. engaged the Government of the Dominican Republic (GODR) on methods to reduce extra-judicial killings, torture and unwarranted violence by members of the National Police. A Human Rights and Democracy Fund (HRDF) grant awarded in September 2003 will allow for the creation of Police Abuse Reporting Centers in 2004. Through U.S. assistance to human rights NGOs and the National Police Institute of Human Dignity, citizens will be able to submit complaints of police abuse to three reporting centers. The reporting centers will create an information system to register and channel complaints, and a separate database to profile human rights abuses for research purposes. This system will streamline National Police efforts to focus on problem areas and reduce abuse by officers. As a result of this project, human rights violations committed by police will be reduced and more police officers will be sanctioned.

[1](#)5. The mission invested more than \$500,000 in U.S. Government funding for the National Police to develop a new curriculum at the Police Academies for recruits and for future officers. The revised police curriculum includes training on police methods analogous to U.S. standards. In compliance with the Leahy Amendment, the Military Assistance and Advisory Group worked closely with the Armed Forces to vet military units for U.S. training and checked candidates with other Embassy offices.

U.S. Promotes the Rule of Law and Democracy

16. The U.S. promoted the rule of law in the Dominican Republic by supporting implementation of judicial reforms. U.S. technical assistance supported a survey of the cost of implementing the 2002 Criminal Procedures Code, which will be fully effective in September 2004. With our help, in November 2003 the Supreme Court of Justice issued several resolutions requiring the National Police to obtain an arrest warrant from a competent judicial authority before arresting or detaining a suspect, except for persons caught in the act of committing a crime. Also in November, the Attorney General's office issued a resolution requiring that a defendant have counsel at all phases of criminal proceedings and that police and prosecutors read a "Miranda warning" informing defendants of their rights upon arrest.

17. U.S. technical assistance and training also strengthened the efficiency and effectiveness of the judicial system. With U.S. help to create a public defense program, the GODR appointed 14 public defenders and 2 investigators and processed 1,052 cases in 2003 -- a tremendous accomplishment in an ongoing effort to reduce the backlog of pending cases. The U.S. provided technical assistance to the Prosecutorial School and for the development of a Public Ministry Career Statute. The statute, published in July 2003, established a professional mechanism of selecting attorneys appointed through a civil service system.

18. In May and September 2003, the U.S. provided training on prosecuting money-laundering cases. Funding from the U.S. Department of Justice Office of Overseas Prosecutorial Development Assistance Training (OPDAT) provided training for 60 Dominican judges, prosecutors and law enforcement officers.

U.S. Engages Civil Society and Promotes Clean Elections

19. In order to encourage participatory democratic practices within political parties, the U.S. sponsored Dominican participation in civic education and exchange programs in the U.S. In February and March 2003, USAID in partnership with the National Democratic Institute (NDI) funded five young community activists who attended a seminar in Washington on political party leadership. Upon their return to the Dominican Republic, the participants implemented local projects to bolster democratic processes within their respective parties. The U.S. also funded a program to promote women's participation in politics. The program focused on methods to foster women as voters and as candidates for office.

10. The Embassy had a strong interest in promoting democracy, particularly in view of the upcoming 2004 presidential election. The United States is seeking to fund international election observers through the Organization of American States (OAS) to improve transparent, fair elections. Through U.S. assistance to NGO partners, 6,000 Dominican volunteers were also selected and trained to observe the May 2004 elections.

U.S. Efforts to Combat Domestic Violence and Child Labor

11. To address the reported upsurge in domestic violence, the U.S. sponsored a project to prevent domestic and gender-based violence in the Dominican Republic. USAID provided technical assistance to help raise public awareness about the issue. Once fully implemented, the project will assist the Women's Secretariat to develop guidelines for accreditation and

SIPDIS

regulation of model women's shelters. The U.S. also sponsored training in the United States for Dominican women with disabilities.

12. Throughout the year the United States continued to encourage strong government support for efforts to eliminate child labor, dedicating more than \$3 million over a five-year period to multi-year programs. The U.S. Department of Labor--funded project targeted the worst forms of child labor in the sex industry, tomato producing provinces, coffee growing areas and hazardous agriculture provinces. U.S. funding for these programs also included an educational component to sensitize parents and school-age children to the physical and sociological risks of child labor and to promote school attendance. As a result of our assistance, in September the Ministry of Labor declared one of the USDOL targeted areas as one "free of child labor."

U.S. Launches Robust Campaign against Trafficking in Persons

13. The U.S. engaged the GODR in a robust campaign to combat trafficking in persons. USAID funded an NGO partner to help draft comprehensive anti-trafficking legislation, which was passed by the Dominican Congress in July and signed into law by the President in August 2003. In addition, USAID missions

in the Dominican Republic and Haiti received a grant to study the problem of Haitian children trafficked to the Dominican Republic. The U.S. Government also provided technical support to a newly created trafficking unit at the National Police. At the Embassy,s urging, a trafficking unit was also created at the Attorney General,s office. Additionally, the United States funded several training courses for members of the National Police, prosecutors and judges on implementing the new law against trafficking in persons. In September 2003 a grant was approved to develop a curriculum at the USAID-supported Judicial School to improve processing of trafficking in persons cases. The U.S. continued to meet with key officials to encourage prosecution of traffickers.

Addendum:

The following are USG funded democracy and human rights programs for \$100,000 or more:

USAID - Electoral Assistance: \$1,350,000
USAID - Democratization of Political Parties: \$500,000
USAID - Strengthening the Justice System: \$2,250,000
USAID - Anti-corruption Programs: \$1,100,000
USAID - Institution Building/Civil Society: \$267,000
USAID - TIP Joint Project DR/Haiti: \$62,000
NAS - Police Academies Curricula: \$500,000
NAS - TIP Curriculum for Judicial School: \$108,000
HERTELL